

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE**  
**JUNE 15, 2016**  
**COUNTY BOARD ROOM – 2<sup>ND</sup> FLOOR**  
**ONEIDA COUNTY COURTHOUSE**  
**RHINELANDER, WI 54501**

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Members present: Scott Holewinski, Billy Fried, Mike Timmons, Dave Hintz, and Jack Sorensen

Members absent: None

Department staff present: Karl Jennrich, Director; Pete Wegner, Assistant Director; Kathy Ray, Land Use Specialist; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

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Call to order.

Chairman Scott Holewinski called the meeting to order at 12:30 P.M., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda.

**Motion by Jack Sorensen, second by Billy Fried to approve the agenda. With all members present voting “aye”, the motion carried.**

It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, Section 19.85 (1) (g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.

- a. Junkyard in the Town of Woodboro.
- b. Dilapidated structure in the Town of Cassian.
- c. Approve closed session minutes of March 2, March 16, April 5 and May 25, 2016.

A roll call vote will be taken to return to open session. Motion by Mike Timmons, second by Dave Hintz to return to open session. With all members voting “aye”, the motion carried.

Announcement of any action taken in closed session.

- a. Motion by Holewinski, second by Timmons that the property is not considered a junkyard and the complaint is opposed. “Aye”, Unanimous.
- b. No action taken.

- c. Motion by Mike Timmons, second by Billy Fried to approve the meeting minutes of March 2, March 16, April 5. "Aye", Unanimous; May 25, "Aye", four members and Jack Sorensen did not vote.

Public comments. Connie Anderson spoke.

Approve meeting minutes of May 18, May 25, and June 1, 2016. **Motion by Dave Hintz, second by Billy Fried to approve the meeting minutes of May 18, May 25, and June 1, 2016. With all members present voting "aye", the motion carried.**

Section 9.78, Sign Regulations. The committee will be looking at exempt signs pursuant to Section 9.78 E in light of Reed vs. Town of Gilbert Supreme Court Case.

Mr. Jennrich informed the Committee that a business owner from Minocqua asking why his signs are being removed and other "not for profit" signs are being allowed to remain. Mr. Jennrich explained to the business owner that Oneida County is not removing the signs. Mr. Jennrich also informed the owner that Oneida County is in discussions, because of a Supreme Court case, to revise the sign ordinance. Mark Hartzheim, Minocqua Town Chair, was present to discuss this matter. Corporation Counsel will review the sign ordinance and bring suggestions for changes back to the committee.

Oneida County enforcement of dilapidated structures, junkyards and declared Public Health Nuisances.

Mr. Jennrich stated that this item is on the agenda because Mr. Sorensen wanted the committee to look at what the City of Rhinelander has for an ordinance regarding these items. Staff is directed to look at how many junkyard complaints the Department has had in the past years and report back to the committee for further discussion.

Resolution 1-2016, a rezone in the Town of Cassian. The committee will be reviewing Resolution 1-2016 to forward to the Oneida County Board of Supervisors.

**Motion by Jack Sorensen, second by Mike Timmons to approve the Resolution and forward to the Oneida County Board of Supervisors. With all members present voting "aye",**

Refunds. There are two refunds. **Motion by Dave Hintz, second by Billy Fried to approve the refunds. With all members present voting "aye", the motion carried.**

Line item transfers, purchase orders, and bills. **Motion by Jack Sorensen, second by Dave Hintz to approve the bills as submitted. With all members present voting "aye", the motion carried.**

Approve future meeting dates: **June 22, June 29, and July 6, 2016.**

Public comments. None

Future agenda items. As discussed.

**CONDUCT PUBLIC HEARING ON THE FOLLOWING:**

Conditional Use Permit application by Alec and Christine Stenli, owner d/b/a Northern Pines Greenery to construct a storage building for business use with outdoor storage on property described as Hill Lake Pines Lot 6, Section 9, T39N, R6E, Hill Lake Drive, PIN MI 5744, Town of Minocqua.

Karl Jennrich read the notice of public hearing into the record. The notice was published in the Northwoods River News on May 31 and June 7, 2016 and posted on the Oneida County Bulletin Board on May 26, 2016. Proof of publication is contained in the file.

The only correspondence in the file is meeting minutes from the Town of Minocqua approving the Conditional Use Permit subject to County and State requirements.

Kathy Ray, Land Use Specialist, suggest approval with conditions.

Chairman Holewinski opened the public portion of the public hearing. The owners were present and are in favor of the project.

**Motion by Dave Hintz, second by Jack Sorensen to approve the conditional use permit as the general standards have been met and with staff conditions. With all members present voting “aye”, the motion carried.**

**Ordinance Amendment #2-2016** authored by the Planning and Development Committee to amend Section 9.94, OHWM Setbacks and Special Zoning Permission for Structures in Shoreland Setback, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

9.94 OHWM SETBACKS AND SPECIAL ZONING PERMISSION FOR STRUCTURES IN SHORELAND SETBACK (Amend. #08-2000, 29-2001, 71-2002, 87-2003, 14-2005, 02-2006, 12-2006, 13-2007, 14-2008)

A. OHWM Setbacks

There shall be setbacks from the ordinary high water mark (OHWM) on lots that abut or are within 75 feet of a navigable waterbody.

1. To remain unchanged.
2. Exceptions to the 75-foot setback from the OHWM of a navigable water body. See Appendices C through G for illustrative purposes only. The text in this section shall be controlling and will supersede the appendices if there are any conflicting interpretations.

a through c to remain unchanged.

d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:

- ~~(1) No part of any boathouse shall extend into the lake or stream beyond the OHWM.~~
- ~~(2) The construction of a boathouse is confined to the viewing area and shall be at least 10 feet from the side yard lot line.~~

- ~~(3) With the exception of 9.94(A) (2) (d) (10) below, boathouses shall be designed and constructed solely for the storage of boats and related equipment. Patio doors, fireplaces, plumbing, living facilities and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.~~
- ~~(4) The main door shall face the water.~~
- ~~(5) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.~~
- ~~(6) A boathouse shall not exceed a total height of twelve (12) feet.~~
- ~~(7) A boathouse shall not be constructed on slopes 20% or greater.~~
- ~~(8) Boathouses shall be constructed in conformity with local floodplain zoning standards.~~
- ~~(9) The maximum width of a boathouse parallel to the OHWM shall not exceed the lesser of 75 percent of the viewing area(s) or 36ft. The overhang and eaves are not included in the maximum width and shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.~~
- ~~(10) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.~~
- ~~(11) Decks, platforms, & other construction not essential for berthing of boats is prohibited.~~
- ~~(12) A boathouse shall contain no plumbing.~~
- ~~(13) A boathouse shall contain no living facilities.~~
- ~~(14) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.~~
- ~~(15) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.~~
- (1) The construction or placement of boathouses below the ordinary high water mark of any navigable waters shall be prohibited.
- (2) The construction of a boathouse is confined to the viewing area and shall be at least 10 feet from the side yard lot line.
- (3) With the exception of 9.94(A) (2) (d) (10) below, boathouses shall be designed and constructed solely for the storage of boats and related equipment. Patio doors, fireplaces, plumbing, living facilities and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.
- (4) The main door shall face the water.
- (5) One boathouse is permitted on a lot as an accessory structure.
- (6) Any boathouse which may be permitted within the setback area shall be of one story only. The basement definition does not apply to a boathouse and therefore constitutes a story. The sidewalls of a boathouse shall not exceed 12 feet in height as measured from the top of wall to the floor.
- (7) Boathouse construction is subject to the requirements of Section 9.97.
- (8) Boathouses shall be constructed in conformity with local floodplain zoning standards.
- (9) The maximum width of a boathouse parallel to the OHWM shall not exceed the lesser of 75 percent of the viewing area(s) or 36ft. The overhang and eaves are not included in the maximum width and shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
- (10) The maximum total footprint shall not exceed 1008 square feet.
- (11) Flat roofs that shed water away from the OHWM are permitted.
- (12) The roof of a boathouse may be used as a deck provided that:
  - (a) The boathouse has a flat roof.

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(b) The roof has no side walls or screens.

(c) The roof may have a railing that meets the State of Wisconsin Uniform Dwelling Code.

(13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).

9.96 SHORELAND MITIGATION PLAN (#08-2000, 30-2001, 02-2006, 14-2008, 21-2008)

The opening paragraph and A through E remain unchanged.

Mitigation requirements A-E above shall be implemented for the following:

1. Properties requiring a permit under sections 9.32(E) and 9.33(B) and meet the requirements of section 9.99.

~~2. New boathouse construction on properties with existing dwellings or principal buildings.~~

Karl Jennrich read the notice of public hearing into the record. The notice was published in the Northwoods River News on May 31 and June 7, 2016 and posted on the Oneida County Bulletin Board on May 26, 2016. Proof of publication is contained in the file.

There was one e-mail in the file from Skip LaValle.

Motion by Billy Fried, second by Mike Timmons to waive the reading of the Notice of Public Hearing. With all members present voting "aye", the motion carried.

Mr. Wegner stated that two changes need to be made; one on line three (3) and one on line nine (9). Motion by Holewinski, second by Sorensen to approve the changes as Pete stated. With all members present voting "aye", the motion carried.

Mr. Wegner stated he had some comments from staff that he would like to address with the committee.

Discussion was held on what the committee considers the "main" door.

Motion by Dave Hintz, second by Mike Timmons to delete item #four (4) of the proposed language. With all members present voting "aye", the motion carried.

Chairman Holewinski opened the public portion of the public hearing.

Jimmy Rein spoke.

Bob Williams spoke.

Scott and Pat Wilson spoke.

Chairman Holewinski closed the public portion of the public hearing.

Discussion was held on the number of berths allowed.

**Motion by Mike Timmons, second by Billy Fried to forward Ordinance Amendment #2-2016, with the changes discussed, to the Oneida County Board of Supervisors. With four members voting "aye" and one member voting "nay", the motion carried.**

Adjourn.

**2:35 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Jack Sorensen to adjourn the meeting. With all members present voting “aye”, the motion carried.**

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Chairman Scott Holewinski

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Karl Jennrich  
Planning & Zoning Director